

# Exhibit A

**Nathan, Aaron E.**

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**From:** Kenneth Caruso <ken.caruso@kennethcarusolaw.com>  
**Sent:** Wednesday, September 25, 2024 3:46 PM  
**To:** Nathan, Aaron E.; david@labkowskilaw.com  
**Cc:** Houghton-Larsen, M Annie; John Langford; Gottlieb, Michael; Governski, Meryl Conant; Rachel Goodman; Christine Kwon; Burbage, James  
**Subject:** RE: Freeman v Giuliani, No. 24-mc-353

\*\*\* EXTERNAL EMAIL \*\*\*

cant talk today but will be in touch.

**Kenneth A. Caruso**

Kenneth Caruso Law

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Email: [Ken.Caruso@kennethcarusolaw.com](mailto:Ken.Caruso@kennethcarusolaw.com)

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**From:** Nathan, Aaron E. <ANathan@willkie.com>  
**Sent:** Wednesday, September 25, 2024 3:39 PM  
**To:** Kenneth Caruso <ken.caruso@kennethcarusolaw.com>; david@labkowskilaw.com  
**Cc:** Houghton-Larsen, M Annie <MHoughton-Larsen@willkie.com>; John Langford <john.langford@protectdemocracy.org>; Gottlieb, Michael <MGottlieb@willkie.com>; Governski, Meryl Conant <MGovernski@willkie.com>; Rachel Goodman <rachel.goodman@protectdemocracy.org>; Christine Kwon <christine.kwon@protectdemocracy.org>; Burbage, James <JBurbage@willkie.com>  
**Subject:** RE: Freeman v Giuliani, No. 24-mc-353

Just so we're clear, there is the deadline to respond to the Motion to Enforce Judgment in No. 24-mc-353, which was September 23, 2024 and has not been extended. Then there are deadlines to respond to two motions to quash exemption claim forms in the same proceeding, which are currently October 1, 2024.

It sounds like you are talking about No. 24-cv-6563, where the answer deadline is October 2. We are open to discussing a schedule for that case, but until the stip we've sent is signed and so-ordered in the bankruptcy case, I'm not sure how productive that will be. If you have a proposal in mind, I am happy to discuss it, but I think we should move quickly. When can you speak?

**Aaron E. Nathan**

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**From:** Kenneth Caruso <[ken.caruso@kennethcarusolaw.com](mailto:ken.caruso@kennethcarusolaw.com)>  
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\*\*\* EXTERNAL EMAIL \*\*\*

I would want to agree on dates/tasks beyond an answer date. I would want to agree the usual dates/tasks in a case management plan, which Judge L requires anyway.

**Kenneth A. Caruso**

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**Subject:** RE: Freeman v Giuliani, No. 24-mc-353

On our call last Thursday, you had asked for an extension to November 2 (which is a Saturday, so call it November 4). If your client agrees to this joint stipulation, and the Bankruptcy Court so-orders it, we would be open to that. I can't make any commitments now, though, and this discussion is probably premature given the contingencies that have to materialize before the one-year bar is extended. Let us know what your client says regarding the stip. Thanks,

Aaron

**Aaron E. Nathan**

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Actually, while I consider this stipulation, please let me know what schedule you have in mind, on the assumption that the bankruptcy Court “so orders” it. Thanks.

**Kenneth A. Caruso**

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**Subject:** RE: Freeman v Giuliani, No. 24-mc-353

Ken, regarding the bankruptcy issue, attached is a draft notice and joint stip. If your client is agreeable, please have him sign the last page and we will finalize and file the notice with the executed joint stip.

**Aaron E. Nathan**

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Thanks, Ken.

**Aaron E. Nathan**

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**Subject:** RE: Freeman v Giuliani, No. 24-mc-353

\*\*\* EXTERNAL EMAIL \*\*\*

I understand. I need to speak to Labkowski re: deadlines. He's traveling back from Japan tomorrow. Thanks.

**Kenneth A. Caruso**

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We will draft something and send it to you. To be clear, we're not holding any other deadlines in abeyance while we wait to see if your client ultimately agrees and whether the Court enters the order. So please let us know whether you'll be moving to extend yesterday's deadline in 24-mc-353 to October 7, 2024 in which case we would consent to the motion, or not. And we will await Mr. Giuliani's complete response to the information subpoena by October 7, 2024 but not any longer.

**Aaron E. Nathan**

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**Subject:** RE: Freeman v Giuliani, No. 24-mc-353

\*\*\* EXTERNAL EMAIL \*\*\*

I suggest you draft the papers that would be necessary for a Bankruptcy Court order. I will certainly recommend that he agree, and I am confident he will follow my advice. Confirm that you will draft something and send it to me?

**Kenneth A. Caruso**

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**Subject:** RE: Freeman v Giuliani, No. 24-mc-353

We see extending the re-filing bar as a separate issue – it would be complicated, and to the extent it were possible it would require a court order from the Bankruptcy Court. If your client is willing to join a motion seeking such an order from the Bankruptcy Court, and if that motion were granted, we could consider other extensions to the schedule in the enforcement matters. But we cannot wait to see if that contingency would materialize before moving forward with the other enforcement matters.

**Aaron E. Nathan**

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\*\*\* EXTERNAL EMAIL \*\*\*

You were going to get back to me re an extension of the time w/in which RWG cannot file another bankruptcy case. Can you get back to me on that? Thanks.

**Kenneth A. Caruso**

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**Subject:** RE: Freeman v Giuliani, No. 24-mc-353

Hi Ken, David:

Checking in about two things in the enforcement proceeding (24-mc-353). First, as discussed last week, the deadline for Mr. Giuliani's opposition to Plaintiffs' Motion to Enforce Judgment (ECF No. 8 in 24-mc-353) was September 23, 2024 (see ECF No. 17). In the below email exchange, Plaintiffs offered to consent to a motion to extend that deadline to October 7, 2024, but we have not heard back from you about that and nothing was filed yesterday. Could you please confirm whether Mr. Giuliani intends to file an opposition? Plaintiffs remain open to an extension until October 7, 2024, but not later – as things stand, the opposition is untimely.

Second, I want to call to your attention that Mr. Giuliani's deadline to respond to Plaintiffs' information subpoena is many weeks overdue. (A copy of the information subpoena and accompanying restraining notice is attached as Exhibit 10 to the declaration in support of the Motion to Enforce Judgment, or ECF No. 10-10 in 24-mc-353). Any objections Mr. Giuliani may have had to the subpoena are waived. If Mr. Giuliani does not produce complete, satisfactory responses to the information subpoena by October 7, 2024, Plaintiffs will be forced to move to compel and/or for other relief. To be clear, Plaintiffs are willing to wait that long only as a courtesy, given your recent retention in this aspect of the case. Given all that has transpired, Plaintiffs are not willing to entertain further delay.

Thanks,  
Aaron

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**From:** Nathan, Aaron E. <[ANathan@willkie.com](mailto:ANathan@willkie.com)>  
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**Subject:** RE: Freeman v Giuliani, No. 24-mc-353 (FRE 408)

Hi Ken – thank you for the call earlier. As discussed, you were going to prepare and file a letter in both SDNY actions asking the Court to deem the cases related but without asking for assignment to a particular judge. If you would like us to consider joining the letter or noting our consent/non-opposition, please share a draft before you file.

On the subject of extensions, your email of 10:01 am on Wednesday September 18 (further down in this chain) indicated that you wanted until October 2 to respond to the turnover motion in 24-mc-353 (I've attached that motion and supporting papers for your convenience). We were and remain amenable to that request as a professional courtesy, but understand from our meet and confer call that you now want even more time. As I said on the phone, we would consent to an extension until October 7, which is two weeks from the original deadline, and four weeks from service of the motion. Given the importance of moving this case forward expeditiously, we see that as more than reasonable.

In the civil action (No. 24-cv-6563) I understood you to ask for an extension from October 2 until November 1 to respond to the complaint. We will discuss that internally and it may be worth revisiting that in the context of another conversation about the schedule that will govern that case. Perhaps we can talk again next week once the relatedness issue is resolved.

Thanks and talk soon –

Aaron

**Aaron E. Nathan**  
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**Subject:** RE: Freeman v Giuliani, No. 24-mc-353 (FRE 408)

\*\*\* EXTERNAL EMAIL \*\*\*

Well, I'm not sure what you mean by "outside the normal course" or "normal assignment practices" but let's discuss at 3:00. My bottom line is that the same Judge should have both matters.

**Kenneth A. Caruso**  
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**From:** Nathan, Aaron E. <[ANathan@willkie.com](mailto:ANathan@willkie.com)>  
**Sent:** Thursday, September 19, 2024 12:52 PM  
**To:** Kenneth Caruso <[ken.caruso@kennethcarusolaw.com](mailto:ken.caruso@kennethcarusolaw.com)>  
**Cc:** Houghton-Larsen, M Annie <[MHoughton-Larsen@willkie.com](mailto:MHoughton-Larsen@willkie.com)>; John Langford



<[john.langford@protectdemocracy.org](mailto:john.langford@protectdemocracy.org)>; Gottlieb, Michael <[MGottlieb@willkie.com](mailto:MGottlieb@willkie.com)>

**Subject:** RE: Freeman v Giuliani, No. 24-mc-353 (FRE 408)

Ken – looking forward to speaking at 3pm. To preview and hopefully save a bit of time, we’ve discussed the transfer/consolidation issue on our end, and we can definitively say that we are not interested in asking to transfer the miscellaneous action to Judge Hellerstein, or in any other request that would ask for a particular judge outside the normal course. We don’t see any argument that the later-filed civil action (24-cv-6563) could be deemed to have a “lower docket number” than the earlier-filed miscellaneous action (24-mc-353) within the meaning of the SDNY related case rule. The normal practice is for the judge with the earlier-filed case to make relatedness determinations, and that’s the miscellaneous case here. We would still consider joining a request to have the cases transferred to the same judge and consolidated for the sake of efficiency, but we’re not interested in joining any request that departs from normal assignment practices. We can discuss further this afternoon if you like.

Thanks,  
Aaron

**Aaron E. Nathan**  
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**From:** Kenneth Caruso <[ken.caruso@kennethcarusolaw.com](mailto:ken.caruso@kennethcarusolaw.com)>  
**Sent:** Wednesday, September 18, 2024 5:57 PM  
**To:** Nathan, Aaron E. <[ANathan@willkie.com](mailto:ANathan@willkie.com)>  
**Cc:** Houghton-Larsen, M Annie <[MHoughton-Larsen@willkie.com](mailto:MHoughton-Larsen@willkie.com)>; John Langford <[john.langford@protectdemocracy.org](mailto:john.langford@protectdemocracy.org)>; Gottlieb, Michael <[MGottlieb@willkie.com](mailto:MGottlieb@willkie.com)>  
**Subject:** Re: Freeman v Giuliani, No. 24-mc-353

\*\*\* EXTERNAL EMAIL \*\*\*

Sure. As noted I have to at 4:00 but that should be plenty of time. Thanks

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**From:** Nathan, Aaron E. <[ANathan@willkie.com](mailto:ANathan@willkie.com)>  
**Sent:** Wednesday, September 18, 2024 5:55:45 PM  
**To:** Kenneth Caruso <[ken.caruso@kennethcarusolaw.com](mailto:ken.caruso@kennethcarusolaw.com)>  
**Cc:** Houghton-Larsen, M Annie <[MHoughton-Larsen@willkie.com](mailto:MHoughton-Larsen@willkie.com)>; John Langford <[john.langford@protectdemocracy.org](mailto:john.langford@protectdemocracy.org)>; Gottlieb, Michael <[MGottlieb@willkie.com](mailto:MGottlieb@willkie.com)>  
**Subject:** Re: Freeman v Giuliani, No. 24-mc-353

Ken, how about 3pm ET. If that still works we will send an invite.

On September 18, 2024 at 10:08:44 AM EDT, Kenneth Caruso <[ken.caruso@kennethcarusolaw.com](mailto:ken.caruso@kennethcarusolaw.com)> wrote:

\*\*\* EXTERNAL EMAIL \*\*\*

Thank you

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**From:** Nathan, Aaron E. <[ANathan@willkie.com](mailto:ANathan@willkie.com)>  
**Sent:** Wednesday, September 18, 2024 10:06:07 AM  
**To:** Kenneth Caruso <[ken.caruso@kennethcarusolaw.com](mailto:ken.caruso@kennethcarusolaw.com)>  
**Cc:** Houghton-Larsen, M Annie <[MHoughton-Larsen@willkie.com](mailto:MHoughton-Larsen@willkie.com)>; John Langford <[john.langford@protectdemocracy.org](mailto:john.langford@protectdemocracy.org)>; Gottlieb, Michael <[MGottlieb@willkie.com](mailto:MGottlieb@willkie.com)>  
**Subject:** RE: Freeman v Giuliani, No. 24-mc-353

Thanks. We'll look for a time before 4pm ET tomorrow and get back to you. Re the extension, we'll discuss and consider.

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**From:** Kenneth Caruso <[ken.caruso@kennethcarusolaw.com](mailto:ken.caruso@kennethcarusolaw.com)>  
**Sent:** Wednesday, September 18, 2024 10:04 AM  
**To:** Nathan, Aaron E. <[ANathan@willkie.com](mailto:ANathan@willkie.com)>  
**Cc:** Houghton-Larsen, M Annie <[MHoughton-Larsen@willkie.com](mailto:MHoughton-Larsen@willkie.com)>; John Langford <[john.langford@protectdemocracy.org](mailto:john.langford@protectdemocracy.org)>; Gottlieb, Michael <[MGottlieb@willkie.com](mailto:MGottlieb@willkie.com)>  
**Subject:** Re: Freeman v Giuliani, No. 24-mc-353

\*\*\* EXTERNAL EMAIL \*\*\*

Further info. Tomorrow I'm free until 4:00 pm.

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**From:** Kenneth Caruso <[ken.caruso@kennethcarusolaw.com](mailto:ken.caruso@kennethcarusolaw.com)>  
**Sent:** Wednesday, September 18, 2024 10:01:44 AM  
**To:** Nathan, Aaron E. <[ANathan@willkie.com](mailto:ANathan@willkie.com)>  
**Cc:** Houghton-Larsen, M Annie <[MHoughton-Larsen@willkie.com](mailto:MHoughton-Larsen@willkie.com)>; John Langford <[john.langford@protectdemocracy.org](mailto:john.langford@protectdemocracy.org)>; Gottlieb, Michael <[MGottlieb@willkie.com](mailto:MGottlieb@willkie.com)>  
**Subject:** Re: Freeman v Giuliani, No. 24-mc-353

Yes but I am concerned re the Monday deadline to respond in Judge L case. If I need to request more time over your objection, I need to write to him tomorrow. Can we agree now to extend time in front of Judge L to Oct 2 which is deadline before Judge H? That way, the deadline is the same no matter which Judge(s) have case(s) and we can get these preliminary matters resolved w/out unnecessary pressure. Let me know. Thanks

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**From:** Nathan, Aaron E. <[ANathan@willkie.com](mailto:ANathan@willkie.com)>  
**Sent:** Wednesday, September 18, 2024 9:54:27 AM  
**To:** Kenneth Caruso <[ken.caruso@kennethcarusolaw.com](mailto:ken.caruso@kennethcarusolaw.com)>  
**Cc:** Houghton-Larsen, M Annie <[MHoughton-Larsen@willkie.com](mailto:MHoughton-Larsen@willkie.com)>; John Langford <[john.langford@protectdemocracy.org](mailto:john.langford@protectdemocracy.org)>; Gottlieb, Michael <[MGottlieb@willkie.com](mailto:MGottlieb@willkie.com)>  
**Subject:** RE: Freeman v Giuliani, No. 24-mc-353

Thanks, Ken. Re the open items, do you have availability tomorrow afternoon?

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**From:** Kenneth Caruso <[ken.caruso@kennethcarusolaw.com](mailto:ken.caruso@kennethcarusolaw.com)>  
**Sent:** Wednesday, September 18, 2024 9:30 AM  
**To:** Nathan, Aaron E. <[ANathan@willkie.com](mailto:ANathan@willkie.com)>  
**Cc:** Houghton-Larsen, M Annie <[MHoughton-Larsen@willkie.com](mailto:MHoughton-Larsen@willkie.com)>; John Langford <[john.langford@protectdemocracy.org](mailto:john.langford@protectdemocracy.org)>  
**Subject:** Re: Freeman v Giuliani, No. 24-mc-353

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Thanks for this. As discussed, I'm in transit now. Let's discuss the open items after you confer internally. Transfer to Judge H. And I'd like to reconcile all the various due dates

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**From:** Nathan, Aaron E. <[ANathan@willkie.com](mailto:ANathan@willkie.com)>  
**Sent:** Tuesday, September 17, 2024 9:13:05 PM  
**To:** Kenneth Caruso <[ken.caruso@kennethcarusolaw.com](mailto:ken.caruso@kennethcarusolaw.com)>  
**Cc:** Houghton-Larsen, M Annie <[MHoughton-Larsen@willkie.com](mailto:MHoughton-Larsen@willkie.com)>; John Langford <[john.langford@protectdemocracy.org](mailto:john.langford@protectdemocracy.org)>  
**Subject:** Freeman v Giuliani, No. 24-mc-353

Ken, as discussed earlier, please find attached copies of Plaintiffs' motion and supporting papers relating to the exemption claim form regarding the account at Parkside Financial. If you're able to accept service of these documents via this email we would appreciate it, as it would save us a FedEx. Let me know and thanks.

Aaron

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